

FILED

07 DEC 26 PM 1:3

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY: *ADL* DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Elias YEPEZ-Lopez

Defendant.

Magistrate Case No.: '07 MJ2984

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

On or about December 22, 2007, within the Southern District of California, defendant Elias YEPEZ-Lopez did knowingly and intentionally import approximately 19.32 kilograms of cocaine a schedule II Controlled Substance into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

*Chad N. Worgen*  
Donald E. Webster, Special Agent  
U.S. Immigration & Customs  
Enforcement *Chad N. Worgen*

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 26th  
DAY OF December, 2007.

*[Signature]*  
U.S. Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

3 Elias YEPEZ-Lopez

4 PROBABLE CAUSE STATEMENT

5 I, Special Agent Donald E. Webster, declare under penalty of perjury, the  
6 following is true and correct:  
7

8  
9 On December 22, 2007, Elias YEPEZ-Lopez entered the United States through  
10 the Calexico, California West Port of Entry. YEPEZ was the driver, sole occupant and  
11 registered owner of 2004 Nissan Xterra, bearing CAUS- license plate 6BEA013.  
12 Customs and Border Patrol Officer A. Lopez received a negative Customs declaration  
13 and began inspecting the vehicle. The officer noted the rear cargo floor area was not  
14 normal and appeared to have been tampered with. Officer Lopez referred the vehicle  
15 to vehicle secondary where Officer Randolph and his K-9 partner "PINA"  
16 inspected/searched the vehicle resulting in a positive indication for the presence of  
17 narcotics. Officers then discovered 18 packages containing a white powdery substance  
18 that field tested positive for cocaine. The packages were concealed underneath the  
19 floorboards in the rear cargo area of the vehicle. The combined weight of the 18  
20 packages was 19.32 kilograms, of cocaine.

21 *DEW*

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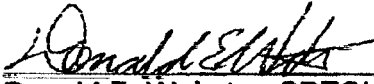
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1 YEPEZ was arrested in violation of Title 21 United States Code (USC) 952,  
2 Importation of a Controlled Substance. YEPEZ acknowledged and waived his Miranda  
3 Rights and admitted knowledge of smuggling drugs in the vehicle for a payment  
4 equaling approximately \$1,000.00 US.

5  
6 Executed on December 23, 2007 at 1104 hours

7   
8 Donald E. Webster, SPECIAL AGENT  
9 Immigration and Customs Enforcement

10  
11 On the basis of the facts presented in the probable cause statement consisting  
12 of three (3) pages, I find probable cause to believe that the defendant, YEPEZ, named  
13 in this probable cause statement committed the offense on December 22, 2007, in  
14 violation of Title 21 United States Code, Section(s) 952 & 960

15   
16 \_\_\_\_\_  
17 United States Magistrate Judge

18 12/23/07 - 12:15Am  
19 \_\_\_\_\_  
20 Date/Time